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10 Attorneys for Defendant GIUSEPPE PENZATO

11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 SAN FRANCISCO DIVISION

14 UNITED STATES OF AMERICA,

15 Plaintiff,

16 v.

17 GIUSEPPE PENZATO,

18 Defendant.

CASE NO. CR-12-0089 EMC (EDL)

**STIPULATION AND ~~PROPOSED~~  
ORDER MODIFYING CONDITIONS OF  
RELEASE TO PERMIT  
INTERNATIONAL TRAVEL FROM  
JULY 11, 2012 THROUGH AUGUST 15,  
2012**

19 **STIPULATION**

20 Defendant Giuseppe Penzato has been on pretrial release since his bail hearing before the  
21 magistrate court in June 2011. As a condition of his release, Mr. Penzato was required to  
22 surrender his United States passport to U.S. Pretrial Services. A further condition is that Mr.  
23 Penzato not travel outside the United States without the permission of the Court.

24 At this time Mr. Penzato respectfully seeks the Court's permission to travel to Italy to  
25 receive medical treatment. Specifically, Mr. Penzato, who is an Italian citizen, is due to have his  
26 prosthetic leg repaired and/or replaced. This periodic, non-elective treatment is necessary to  
27 alleviate muscle and joint pain caused by a worn-out prosthesis. The cost of treatment, which  
28 involves several fittings and adjustments over the course of several weeks at an orthopedic facility

1 outside Bologna, is covered in full by Mr. Penzato's Italian health insurance. Similar treatment in  
2 the United States would cost tens of thousands of dollars.

3 The government does not object to the modification of Mr. Penzato's conditions of release  
4 to accommodate this travel. Pretrial Services is likewise amenable to the modification.

5 Accordingly, the parties agree and stipulate that Mr. Penzato's conditions of release should  
6 be modified to permit him to travel from his home in San Francisco to Italy from July 11, 2012  
7 through August 15, 2012 for the purpose of receiving medical treatment. The parties further agree  
8 and stipulate that Pretrial Services shall return Mr. Penzato's passport to Mr. Penzato on or before  
9 July 10, 2012, and that Mr. Penzato shall return the passport to Pretrial Services within 48 hours of  
10 his return to the United States, and at any rate no later than August 17, 2012. The parties further  
11 agree and stipulate that Mr. Penzato shall provide Pretrial Services with any and all requested  
12 information concerning the logistics of his travel and accommodations in Italy.

13 IT IS SO STIPULATED.

14  
15 DATED: June 11, 2012

/s/

Nanci L. Clarence  
Josh A. Cohen  
Attorney for Joseph Carozza

16  
17  
18 DATED: June 11, 2012

/s/

Owen Martikan  
Assistant United States Attorney

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21  
22 **ORDER**

23 By stipulation of the parties, and for good cause shown, it is hereby ordered that defendant  
24 Giuseppe Penzato's conditions of release shall be modified as follows: Mr. Penzato shall be  
25 permitted to travel from his home in San Francisco to Italy from July 11, 2012 through August 15,  
26 2012. Pretrial Services shall return Mr. Penzato's passport to Mr. Penzato on or before July 10,  
27 2012. Mr. Penzato shall return the passport to Pretrial Services within 48 hours of his return to the  
28

1 United States, but in no event later than August 17, 2012. Mr. Penzato shall provide Pretrial  
2 Services with any and all requested information concerning the logistics of his travel and  
3 accommodations in Italy. All other conditions of release shall remain in effect.

4 IT IS SO ORDERED.

5  
6 DATED: June 13, 2012

  
ELIZABETH D. LAPORTE  
UNITED STATES MAGISTRATE JUDGE